

1 BILL NO. G-~~3-1~~

83-01-10 (as amended)

2 GENERAL ORDINANCE NO. G- 03-83

3 AN ORDINANCE amending the Municipal Code
4 of the City of Fort Wayne, Indiana of
5 1974 by adding thereto a Section with
6 regards to the parking of motor vehicles
7 during certain hours.

8 WHEREAS, the City of Fort Wayne currently has in
9 effect various ordinances restricting or prohibiting parking
10 on certain streets at certain times; and

11 WHEREAS, the provisions of these ordinances and appli-
12 cable Sections of the Municipal Code of the City of Fort Wayne
13 govern parking near places of worship; and

14 WHEREAS, present prohibitions against parking on
15 streets near places of worship is, in some cases, unnecessary
16 due to lack of vehicular traffic on certain days; and

17 WHEREAS, the City of Fort Wayne and the Common Council
18 of the City of Fort Wayne desire to limit the applicability of
19 parking restrictions near places of worship on certain days of
20 worship for the reason that such restrictions are unnecessary on
21 those days near places of worship.

22 NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF
23 THE CITY OF FORT WAYNE, INDIANA:

24 SECTION 1. For purposes herein the term "places of
25 worship" shall mean churches, sunagogues, temples, and other
26 places commonly and generally used for purposes of worship.

27 SECTION 2. That the Traffic Engineering Department
28 of the City is presently making a study as to the necessity
29 for parking restrictions on certain days and at certain times
30 near places of worship. This study is being made for the pur-
31 poses of general regulation of vehicular traffic. It is
32 noted that it is impossible to develop a uniform policy with
regards to parking restrictions in that parking needs will vary

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5 from day to day and from time to time as will availability of parking on
6 streets near places of worship. Accordingly, representatives from places
7 of worship are requested to contact City Traffic Engineering as to the
8 need for parking on certain days and at certain times in certain locations.
9 Once contact has been made with City Traffic Engineering, a further
10 study shall be made as to the feasibility of limitations of parking restrictions
11 near the place of worship in question on a certain day, at certain times,
12 and on a certain street or streets. If the study made justifies, from a
13 safety and planning standpoint, the limitation of parking restrictions,
14 City Traffic Engineering shall submit a resolution to the Common Council
15 setting out the name of place of worship in question and outlining the exemption
16 from parking restrictions specifying the day of week, hours involved
17 and identification of streets or parts thereof upon which parking is allowed.
18 If the Common Council approves the resolution, City Traffic Engineering
19 shall issue a letter to the place of worship in question outlining the exemption
20 from parking restrictions, specifying the day of the week, hours involved
21 and identification of streets or parts thereof upon which parking is allowed.
22 Letters sent by Traffic Engineering to places of worship for purposes
23 hereunder shall be part of this ordinance, and a copy of same shall
24 be delivered to the clerk's office as well as the Fort Wayne Police
25 Department and any other department of the city charged with the regulation
26 of parking.
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4 SECTION 3. That the provisions of this Ordinance and the rights
5 herein provided shall be subject to any declaration of emergency including,
6 but not limited to, snow emergencies and the like.
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9 SECTION 4. That this Ordinance shall constitute an amendment
10 to existing ordinances to the City of Fort Wayne and any such ordinance
11 in conflict herewith shall be subordinated to the terms and provisions
12 hereof. Furthermore, this ordinance shall be added to Section 17-91
13 of the Municipal Code of the City of Fort Wayne and cited as same.
14

15 SECTION 5. That if any section, clause, sentence, paragraph,
16 part or provision of this Ordinance shall be found invalid or void by
17 a Court of competent jurisdiction, it shall be conclusively presumed
18 that this Ordinance would have been passed by the Common Council
19 of the City of Fort Wayne, Indiana without such invalid section, clause,
20 sentence, paragraph, part or provision, and the remaining parts of
21 this Ordinance shall remain in full force and effect.
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23

24 SECTION 6. That this Ordinance shall be in full force and
25 effect from and after its passage, due legal publication and any and all
26 necessary approval by the Mayor.
27
28

29 James S. Stier

30 Councilman
31
32
33

34 approved as to form and legality
35 Don H. Logan
Attorney for Common Council

Read the first time in full and on motion by Stier,
seconded by GiaQuinta, and duly adopted, read the second time
by title and referred to the Committee Regulation (and the City
Plan Commission for recommendation) and Public Hearing to be held after
due legal notice, at the Council Chambers, City-County Building, Fort Wayne,
Indiana, on _____, the _____ day of _____,
19____, at _____ o'clock _____ M., E.S.T.

DATE: 1-11-83

Charles W. Westerman
CHARLES W. WESTERMAN - CITY CLERK

Read the third time in full and on motion by Stier,
seconded by GiaQuinta, and duly adopted, placed on its
passage. PASSED (LOST) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>9</u>	<u>0</u>	_____	_____	_____
<u>BRADBURY</u>	<u>X</u>	_____	_____	_____	_____
<u>BURNS</u>	<u>X</u>	_____	_____	_____	_____
<u>EISBART</u>	<u>X</u>	_____	_____	_____	_____
<u>GiaQUINTA</u>	<u>X</u>	_____	_____	_____	_____
<u>SCHMIDT</u>	<u>X</u>	_____	_____	_____	_____
<u>SCHOMBURG</u>	<u>X</u>	_____	_____	_____	_____
<u>SCRUGGS</u>	<u>X</u>	_____	_____	_____	_____
<u>STIER</u>	<u>X</u>	_____	_____	_____	_____
<u>TALARICO</u>	<u>X</u>	_____	_____	_____	_____

DATE: 1-25-83

Charles W. Westerman
CHARLES W. WESTERMAN - CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne,
Indiana, as (~~ZONING MAP~~) (GENERAL) (~~ANNEXATION~~) (~~SPECIAL~~)
(~~APPROPRIATION~~) ORDINANCE (RESOLUTION) NO. 9-03-82
on the 25th day of January, 1983.

ATTEST:

(SEAL)

Charles W. Westerman
CHARLES W. WESTERMAN - CITY CLERK

Ray A. E. Bork
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on
the 26th day of January, 1983, at the hour of
11:30 o'clock A. M., E.S.T.

Charles W. Westerman
CHARLES W. WESTERMAN - CITY CLERK

Approved and signed by me this 26th day of Jan.
1983, at the hour of 4 o'clock P. M., E.S.T.

Win Moses, Jr.
WIN MOSES, JR. - MAYOR

G-83-01-10

REGULATIONS

REGULATIONS

140

Just the

Janet M. Bradbury

Victor L. Scruggs

Mark E. Rutledge

R. Schone

1-25-83

CONCURRED IN

DATE _____ CHARLES W. WESTERMAN, CITY CLERK

DIGEST SHEET

TITLE OF ORDINANCE Ordinance Amending Municipal Code

DEPARTMENT REQUESTING ORDINANCE Administration

SYNOPSIS OF ORDINANCE Allow for limitations on parking restrictions.

EFFECT OF PASSAGE _____

EFFECT OF NON-PASSAGE _____

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS) _____

ASSIGNED TO COMMITTEE (PRESIDENT) _____

~~Insert~~ ~~the~~ → (insert at ¹⁷*)

If the CC approves the resolution,
~~the~~ City Traffic Engineering shall issue a letter to the
~~CC~~ place of worship in question
outlining the exemption from parking
restrictions, specifying the day of
the week, hours involved and
identification of streets or parts
thereof upon which parking is
allowed.

10
82-01-~~27~~
1 BILL NO. G-3-1

2
3 GENERAL ORDINANCE NO. G-_____

4 AN ORDINANCE amending the Municipal Code
5 of the City of Fort Wayne, Indiana of
6 1974 by adding thereto a Section with
7 regards to the parking of motor vehicles
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9 WHEREAS, the City of Fort Wayne currently has in
10 effect various ordinances restricting or prohibiting parking
11 on certain streets at certain times; and

12 WHEREAS, the provisions of these ordinances and appli-
13 cable Sections of the Municipal Code of the City of Fort Wayne
14 govern parking near places of worship; and

15 WHEREAS, present prohibitions against parking on
16 streets near places of worship is, in some cases, unnecessary
17 due to lack of vehicular traffic on certain days; and

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19 of the City of Fort Wayne desire to limit the applicability of
20 parking restrictions near places of worship on certain days of
21 worship for the reason that such restrictions are unnecessary on
22 those days near places of worship..

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24 THE CITY OF FORT WAYNE, INDIANA:

25 SECTION 1. For purposes herein the term "places of
26 worship" shall mean churches, sunagogues, temples, and other
27 places commonly and generally used for purposes of worship.

28 SECTION 2. That the Traffic Engineering Department
29 of the City is presently making a study as to the necessity
30 for parking restrictions on certain days and at certain times
31 near places of worship. This study is being made for the pur-
32 poses of general regulation of vehicular traffic. It is
noted that it is impossible to develop a uniform policy with
regards to parking restrictions in that parking needs will vary

Page Two

from day to day and from time to time as will availability of parking on streets near places of worship. Accordingly, representatives from places of worship are requested to contact City Traffic Engineering as to the need for parking on certain days and at certain times in certain locations. Once contact has been made with City Traffic Engineering, a further study shall be made as to the feasibility of limitations of parking restrictions near the place of worship in question on a certain day, at certain times, and on a certain street or streets. If the study made justifies, from a safety and planning standpoint, the limitation of parking restrictions, City Traffic Engineering shall ~~submit a resolution~~ *submit a resolution* ~~issue a letter~~ *O.C. setting out the name of* to the place of worship in question, ~~and~~ *and* outlining the exemption from parking restrictions specifying the day of the week, hours involved, ~~and~~ *and* identification of streets or parts thereof upon which parking is allowed. ~~Traffic Engineering's determination shall be final.~~ ** Insert See separate sheet be submitted to the Common Council for its final determination* Letters sent by Traffic Engineering to places of worship for purposes hereunder shall be part of this ordinance, and a copy of same shall be delivered to the clerk's office as well as the Fort Wayne Police Department and any other department of the city charged with the regulation of parking.

SECTION 3. That the provisions of this Ordinance and the rights herein provided shall be subject to any declaration of emergency including, but no limited to, snow emergencies and the like.

SECTION 4. That this ordinance shall constitute an amendment to existing ordinances to the City of Fort Wayne and any such ordinance in conflict herewith shall be subordinated to the terms and provisions hereof. Furthermore, this ordinance shall be added to Section 17-91 of the Municipal Code of the City of Fort Wayne and cited as same.

1 Page Three

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SECTION 5. That if any section, clause, sentence, paragraph, part or provision of this Ordinance shall be found invalid or void by a Court of competent jurisdiction, it shall be conclusively presumed that this Ordinance would have been passed by the Common Council of the City of Fort Wayne, Indiana without such invalid section, clause, sentence, paragraph, part or provision, and the remaining parts of this Ordinance shall remain in full force and effect.

SECTION 6. That this Ordinance shall be in full force and effect from and after its passage, due legal publication and any and all necessary approval by the Mayor.

Councilmember

APPROVED AS TO FORM
AND LEGALITY

Bruce O. Boxberger, City Attorney

1 Page Two

2
3 from day to day and from time to time as will availability of
4 parking on streets near places of worship. Accordingly, repre-
5 sentatives from places of worship are requested to contact
6 City Traffic Engineering as to the need for parking on certain
7 days and at certain times in certain locations. Once contact
8 has been made with City Traffic Engineering, a further study
9 shall be made as to the feasibility of limitations of parking
10 restrictions near the place of worship in question on a certain
11 day, at certain times, and on a certain street or streets. If
12 the study made justifies, from a safety and planning standpoint,
13 the limitation of parking restrictions, City Traffic Engineering
14 shall issue a letter to the place of worship in question out-
15 lining the exemption from parking restrictions specifying the
16 day of the week, hours involved, identification of streets or
17 parts thereof upon which parking is allowed. Traffic Engin-
18 eering's determination shall be final. Letters sent by Traffic
19 Engineering to places of worship for purposes hereunder shall
20 be part of this ordinance, and a copy of same shall be delivered
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23 regulation of parking.


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30 any such ordinance in conflict herewith shall be subordinated
31 to the terms and provisions hereof. Furthermore, this ordinance
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Page Three

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Councilmember

APPROVED AS TO FORM
AND LEGALITY


Bruce O. Boxberger, City Attorney

Admn. Appr. _____

DIGEST SHEET

10
15-83-01-24
as amended.
- as amended.

TITLE OF ORDINANCE Ordinance Amending Municipal Code " as amended.

DEPARTMENT REQUESTING ORDINANCE Administration

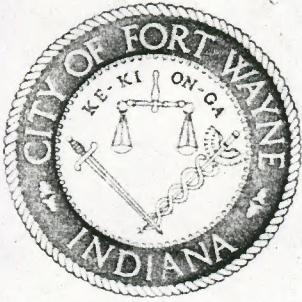
SYNOPSIS OF ORDINANCE Allow for limitations on parking restrictions.

EFFECT OF PASSAGE _____

EFFECT OF NON-PASSAGE _____

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS) _____

ASSIGNED TO COMMITTEE (PRESIDENT) _____



The City of Fort Wayne

OFFICE OF THE CITY CLERK

Charles W. Westerman, Clerk — Room 122

January 28, 1983

Ms. Linda King
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, IN 46802

Dear Ms. King:

Please give the attached full coverage on the dates of
February 2, 1983 and February 9, 1983, in both the News Sentinel
and Journal Gazette.

RE: Legal Notice for Common Council
of Fort Wayne, IN

Bill No. G-83-01-10
(as amended)
General Ordinance No. G-03-83

Bill No. G-83-01-01
General Ordinance No. G-02-83

Please send us 8 copies of the Publisher's Affidavit from
both newspapers.

Thank you.

Sincerely,

Charles W. Westerman
City Clerk

CWW/ne
ENCL: 1

LEGAL NOTICE

Notice is hereby given that on the 25th day of January, 1983, at the Common Council of the City of Fort Wayne, Indiana, in Regular Session, did pass the following Bill No. G-83-01-01 -- General Ordinance No. G-02-83 --- AN ORDINANCE amending Chapter 17 of the Municipal Code of the City of Fort Wayne, Indiana of 1974, entitled "Traffic Code"

Notice is hereby given that on the 25th day of January, 1983, at the Common Council of the City of Fort Wayne, Indiana, in Regular Session, did pass the following Bill No. G-83-01-10 (AS AMENDED) -- General Ordinance No. G-03-83 -- AN ORDINANCE amending the Municipal Code of the City of Fort Wayne, Indiana of 1974 by adding thereto a Section with regards to the parking of motor vehicles during certain hours.

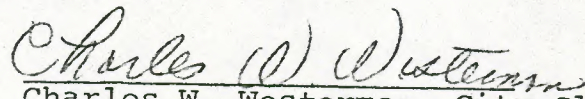
I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana do hereby certify that Bill No. G-83-01-01 -- General Ordinance No. G-02-83 and Bill No. G-83-01-10 (AS AMENDED) -- General Ordinance No. G-03-83, were passed by the Common Council on the 25th day of January, 1983, and said Ordinances were signed and approved by the Mayor on the 26th day of January, 1983, and remains on file and on record in my office.

Copies of Bill No. G-83-01-10 (as amended) -- General Ordinance No. G-03-83 and Bill No. G-83-01-01 -- General Ordinance No. G-02-83, will be posted for reading in the following places in Fort Wayne, Allen County, Indiana

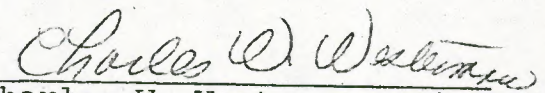
- (1) The main floor of the City-County Building
- (2) The bulletin board in the lobby of Downtown Fort Wayne Public Library
- (3) The bulletin board in the lobby at the East door of the Allen County Court House

Copies of Bill No. G-83-01-10 (as amended) -- General Ordinance No. G-03-83 and Bill No. G-83-01-01 -- General Ordinance No. G-02-83, will be available for reading in the following places in Fort Wayne, Allen County, Indiana

- (1) Reference Room in the north end of the main floor in said Downtown Public Library
- (2) The Journal of the Common Council Proceedings in the Office of the City Clerk of Fort Wayne, Indiana


Charles W. Westerman, City Clerk

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, fulfilled and posted the above ordinances in the designated places as stated on Wednesday, February 2, 1983


Charles W. Westerman, City Clerk

Common Council
(Governmental Unit)

To.....NEWS-SENTINEL.....Dr.

Allen.....County, Ind

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) – number of equivalent lines	_____
Head number of lines	_____1_____
Body number of lines	_____73_____
Tail number of lines	_____2_____
Total number of lines in notice	_____76_____

COMPUTATION OF CHARGES

.....7.6.....lines,.....1..... columns wide equals.....7.6.....equivalent lines at.....323.....	\$24.55
cents per line	
Additional charge for notices containing rule or tabular work (50 per cent of above amount)	_____
Charge for extra proofs of publication (50 cents for each proof in excess of two)	_____
TOTAL AMOUNT OF CLAIM.	\$4.55

DATA FOR COMPUTING COST

Width of single column 9.6 picas	Size of type.....6.....point
Number of insertions.....2.....	Size of quad upon which type is cast.....6.....

Pursuant to the provision and penalties of Ch. 89., Acts 1967.

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Barbara Anderson

Date Feb. 9, 1983 Title CLERK

Form 903

PUBLISHER'S AFFIDAVIT

State of Indiana
ALLEN County SS:
Personally appeared before me, a notary public in and for said county and state, the undersigned, Barbara Anderson, who, being duly sworn, says that she is, CLERK of the NEWS-SENTINEL, DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA town in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two times, the dates of publication being as follows: February 2-9, 1983
Subscribed and sworn to before me this 9th day of Feb. 1983
My commission expires November 29, 1985

Barbara Anderson
Notary Public

LEGAL NOTICE
Notice is hereby given that on the 25th day of January, 1983, at the Common Council of the City of Fort Wayne, Indiana, in Regular Session, did pass the following Bill No. G-83-01-01 - General Ordinance No. C-02-83 - AN ORDINANCE amending Chapter 17 of the Municipal Code of the City of Fort Wayne, Indiana of 1974, entitled "Traffic Code".
Notice is hereby given that on the 24th day of January, 1983, at the Common Council of the City of Fort Wayne, Indiana, in Regular Session, did pass the following Bill No. G-83-01-10 (AS AMENDED) - General Ordinance No. G-03-83 - AN ORDINANCE amending the Municipal Code of the City of Fort Wayne, Indiana of 1974 by adding thereto a Section with regards to the parking of motor vehicles during certain hours.
I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana do hereby certify that Bill No. G-83-01-01 - General Ordinance No. G-02-83 and Bill No. G-83-01-10 (AS AMENDED) - General Ordinance No. G-03-83, were passed by the Common Council on the 25th day of January, 1983, and said Ordinances were signed and approved by the Mayor on the 28th day of January, 1983, and remains on file and on record in my office.
Copies of Bill No. G-83-01-10 (as amended) - General Ordinance No. G-03-83 and Bill No. G-83-01-01 - General Ordinance No. G-02-83, will be posted for reading in the following places in Fort Wayne, Allen County, Indiana:
(1) The main floor of the City-County Building
(2) The bulletin board in the lobby of Downtown Fort Wayne Public Library
(3) The bulletin board in the lobby at the East door of the Allen County Court House
Copies of Bill No. B-83-01-10 (as amended) - General Ordinance No. G-03-83 and Bill No. G-83-01-01 - General Ordinance No. G-02-83, will be available for reading in the following places in Fort Wayne, Allen County, Indiana:
(1) Reference Room in the north end of the main floor in said Downtown Public Library
(2) The Journal of the Common Council Proceedings in the Office of the City Clerk of Fort Wayne, Indiana
Charles W. Westerman, City Clerk
I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, fulfilled and posted the above ordinances in the designated places as stated on Wednesday, February 2, 1983.
Charles W. Westerman, City Clerk

Common Council
(Governmental Unit)

To.....JOURNAL-GAZETTE.....Dr.

Allen.....County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

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Charge for extra proofs of publication (50 cents for each proof in excess of two)	_____
TOTAL AMOUNT OF CLAIM.	\$24.55

DATA FOR COMPUTING COST

Width of single column 9.6 picas	Size of type.....6.....point
Number of insertions.....2.....	Size of quad upon which type is cast.....6.....

Pursuant to the provision and penalties of Ch. 89., Acts 1967.

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Barbara Anderson

Date Feb. 9 19 83

Title.....CLERK.....

Form 904

LEGAL NOTICE

Notice is hereby given that on the 25th day of January, 1983, at the Common Council of the City of Fort Wayne, Indiana, in Regular Session, did pass the following Bill No. G-83-01-01 - General Ordinance No. C-02-83 - AN ORDINANCE amending Chapter 17 of the Municipal Code of the City of Fort Wayne, Indiana of 1974, entitled "Traffic Code"

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I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana do hereby certify that Bill No. G-83-01-01 - General Ordinance No. G-02-83 and Bill No. G-83-01-10 (AS AMENDED) - General Ordinance No. G-03-83, were passed by the Common Council on the 25th day of January, 1983, and said Ordinances were signed and approved by the Mayor on the 26th day of January, 1983, and remains on file and on record in my office.

Copies of Bill No. G-83-01-10 (as amended) - General Ordinance No. G-03-83 and Bill No. G-83-01-01 - General Ordinance No. G-02-83, will be posted for reading in the following places in Fort Wayne, Allen County, Indiana

- (1) The main floor of the City-County Building
- (2) The bulletin board in the lobby of Downtown Fort Wayne Public Library
- (3) The bulletin board in the lobby at the East door of the Allen County Court House

Copies of Bill No. B-83-01-10 (as amended) - General Ordinance No. G-03-83 and Bill No. G-83-01-01 - General Ordinance No. G-02-83, will be available for reading in the following places in Fort Wayne, Allen County, Indiana

- (1) Reference Room in the north end of the main floor in said Downtown Public Library
- (2) The Journal of the Common Council Proceedings in the Office of the City Clerk of Fort Wayne, Indiana

Charles W. Westerman, City Clerk

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, fulfilled and posted the above ordinances in the designated places as stated on Wednesday, February 2, 1983.

Charles W. Westerman, City Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana
ALLEN County SS:

Personally appeared before me, a notary public in and for said county and state, the undersigned.....Barbara Anderson.....who, being duly sworn, says that she is.....CLERK..... of the

JOURNAL-GAZETTE

a.....DAILY..... newspaper of general circulation printed and published in the English language in the city of.....FORT WAYNE, INDIANA..... town of.....

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for.....TWO....., the dates of publication being as follows:

February 2-9, 1983

Barbara Anderson

Subscribed and sworn to before me this 9th day of Feb. 19 83

Charles W. Westerman
Notary Public

My commission expires.....November 22, 1985.....